**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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CRM-M-67764-2025 (O&M)
Date of decision: 09.04.2026

Manish Jaiswal

....Petitioner

Versus

State of UT Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

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Present : Mr. Akashdeep Miglani, Advocate for the petitioner

Mr. Manish Bansal, PP, UT Chandigarh and
Mr. Dixit Bhardwaj, Mr. Arjun Garg and
Ms. Sarasmi Budhiraja, Advocates
for the respondent-UT Chandigarh.

Mr. Ashit Malik, Sr. Advocate with
Mr. Mohit Kaushik, Advocate
for the complainant, who is also present in person.

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AMAN CHAUDHARY, J. (ORAL)

1. The prayer made in the present petition filed under Section 483 of BNSS 2023 is for grant of regular bail to the petitioner in case FIR No.64 dated 01.06.2025, registered under Sections 308, 319(2), 318(4), 338, 340(2), 61(2), 336(3) & 249 BNS, at Police Station Cyber Crime, Chandigarh.

2. Learned counsel submits that the petitioner has been in custody for 9 months and 25 days. The amount though was received in his account, which is being misused by other persons, however, after it being parked there for some time, was transferred to some other accounts.

3. Learned counsel for the UT Chandigarh, on instructions from SI

Yashpal Singh, as also learned Senior counsel for the complainant oppose the present petition that the petitioner is the beneficiary as the amount had come into his account, for which he had taken a commission and transferred the same to some other accounts, from which, it is evident that he was a part of the conspiracy and intentionally allowed the other co-accused to use his account for defrauded the complainant of a huge amount of Rs.2.5 Crores, who is aged about 70 years and retired as Chief Architect, Chandigarh, it being the entire earning of her lifetime including the retiral benefits and savings. She was placed under digital arrest by the fraudsters from 03.05.2025 to 30.05.2025, during which period she was prohibited from disclosing anything to her brother and niece, with whom she is living and produced through video call before the Chief Justice of India, who was stated to be monitoring a case being investigated by CBI and her funds needed to be placed in secret supervision account. He is resident of Varanasi, however, was arrested along with Chitransh and 4 other co-accused from the same Shivanya Hotel, Gomti Nagar, Lucknow, whose petitions seeking regular bail, stand dismissed by this Court vide order dated 08.04.2026. Charges are yet to be framed. The victim apprehends grave danger at the hands of the petitioner in case he is released on bail, especially when many other accused are still absconding, whose details have not been disclosed. There is every apprehension of the petitioner, who belongs to a different State, fleeing from justice being a flight risk, tampering with evidence and/or influencing the witnesses, as also indulging in similar frauds. They thus, pray for dismissal of the present petition.

4. Heard

5. The prosecution story set up in the case at hand, as per the version in the FIR, reads thus:

> "From, Ms. Sumit Kaur D/o Late Shri Daljit Singh Bhatia House No 276, Sector 10 A Chandigarh (U.T.) 160011, Mob No: 917087059276.
> To: The SHO Police Station Cyber Crime, Sector 17 Chandigarh
> Subject: Reporting Cyber Crime related to Digital arrest and fraud.
> Sir/Madam,
> 1. I am submitting this application to report that <u>I have recently become a victim of cyber-crime related to digital arrest and fraud amounting to nearly Rs. 2.5 crores.</u> The details of the case are given in the succeeding paragraphs to the best of my memory. COMMENCEMENT OF FRAUD 2. a. <u>The fraud started on 03 May 2025. On 03 May 2025 early morning I received a call seemingly from The Telecom Regulatory Authority of India (TRAI). The caller said that my phone had been misused and would be disconnected. He said that FIR NO MH 5621/0225 had been lodged.</u> I was redirected to speak to another person. I was told that the SIM card had been purchased from shop 10 bell Nagar building PM Rd, Mumbai 400001. The person identified himself as Arvind Sharma and said that I should insist on getting a clarification letter from the person who would be talking to me regarding the case. I do not know the phone or mobile number from which the first call was received. b. <u>I was put into contact with a person on Whatsapp on Mobile number 917385860472. This person identified himself as Mr. Vijay Khanna police officer and investigating officer in the case I was informed that two arrest warrants had been issued against me in a money laundering case. Mr. Vijay Khanna connected the video call to six people including one person identifying as Mr. Rajiv Ranjan, DIG CBI and chief investigating officer in the case. He showed me my arrest warrants and informed me that an account had been opened in my name in Canara Bank Bombay. He said that this account was being used in the money laundering case of Mr. Naresh Goyal, CEO of Jet Airways and that I was on the list of suspects.</u> He questioned me to find out if I had any connection with Mr. Naresh Goyal or with the case. c. <u>Mr. Ranjan sent to me a document giving details of the case involving Mr. Goel informed me that a secret CBI investigation was in progress hey. He made me repeat an oath swearing that I did not know Mr. Naresh Goyal and that</u>

I would not divulge any information regarding the CBI investigations to anybody. d. Mr. Ranjan asked me to write an application requesting for priority investigation in the case and send him a photocopy of the application on WhatsApp. He also sent me a letter labeled as Terms of Confidentiality Agreement, as well as my arrest warrants. He asked me to provide details of travel where my Aadhar card had been used. I complied by sending a voucher issued by M/s Bajal Travels. EVENTS ON SUBSEQUENT DAYS. 3. 04 MAY 2025 a. on 04 may at 0600 I received a video call on WhatsApp. I was told that I was under surveillance now. I was instructed to keep my mobile phone continuously on day and night till further instructions. b. I was asked for all my investment details and I was told that if I missed any details my accounts would be frozen. Accordingly I sent them all details of bank accounts, mutual fund investments, life insurance policies, PPF and Post Office Accounts. c. They sent me a copy of a petition addressed to the Chief Justice of India to attach my assets. 4. 05 MAY 2025 a. On 05 May 2025, 1 was put on a group video call involving The Chief Justice of India. b. I was given a copy of the Supreme Court orders directing the CBI to investigate the case. I was ordered to submit details of all my assets and that I would be arrested for non- compliance. The court also ordered that all my funds be placed in the Secret Supervision Account on the same day for a period of 48 hours. c. Since I was not able to comply on the same day, the fraudsters asked me to submit an application giving details of action taken by me and requesting for more time. d. I continued to arrange the funds as I had been asked. I was given minute to minute instructions on actions to be taken including how and when to go to the bank and how to behave in the presence of other people. 5. SUBSEQUENT DAYS a. I continued to be contacted by the fraudsters from minute to minute at all hours of the day and night under their supervision. The entire communication was on Whatsapp no 917385860472 through messages, video calls and audio calls. b. Between 06 May and 29 May 2025 I received instructions from The Director Public, Notary Public, Supreme Court, Mumbai, 110057 giving details of the amount to be transferred, beneficiary account name and number into which the funds were to be transferred. I made a series of RTGS transfers to various accounts as directed by the fraudsters. The details are given in appendix A. c. I was asked to give details including CVV of my SBI Foreign Travel Card and SBI Retail Multicurrency Card. The fraudsters made multiple purchases amounting to approx. USD 1144 and Euro 1500. d. I was made to encash all my FDs, Mutual Funds, SBI Life Smart Wealth Policy, PPF, Senior Citizen Scheme. I was also made to take a loan of Rs 20 lakhs against gold from the Central Bank of India. I was also made to take another loan of Rs 20 lakhs against my pension account. e. At every stage I was asked to send photos of my passbooks, cheques and other documents to satisfy the fraudsters that my funds had been completely transferred. I was also required to give them details of transfer by RTGS. f. For the remittances made by me the fraudsters sent me receipts issued by the CBI Anti-Corruption Branch. g. I was asked for a write-up regarding myself including my career details. I was also asked to send details of all mutual funds. h. On 12 May 2025 I was asked to send a compliance report and a comparative statement showing details of assets declared on 05 May and the actual amount at the time of petition. I sent a report of 25 pages. 6. Noteworthy points. a. The people I was contact with identified themselves as Mr. Rajiv Ranjan, DIG CBI and chief investigating officer in the case, Mr. Vijay Khanna police officer and investigating officer, Mr. Vikram Kumar Deshmane Bombay Police. b. The entire communication apart from the initial call, was from Mob No. 917385860472. c. I did not divulge any details to anybody including my relatives regarding my interaction with the fraudsters. I remained in a state of great stress throughout this period because I was told that I could be arrested and that Naresh Goyal could arrange to cause harm to my family. d. Almost my entire life savings have been taken away from me. When my funds were exhausted, the fraudsters asked me to take a loan of Rs 10 lakhs from my brother and to send it to them. They also asked to speak to my brother because they said that his accounts also needed to be investigated. When my brother, Brig (Retd.) Harmit Singh Bhatia spoke to them he realized that I had been dealing with fraudsters. e. I have submitted to them all my personal documents including Aadhar card, Pan card, property ownership documents. At one stage I was told that I might be required to sell off my property and to transfer the amount to them. 7. I was made to share screen on the video call on whatsapp thereby allowing them complete visibility to everything on my phone including pop up messages for all transaction OTPs. While on screen sharing, they used my foreign travel cards, I received OTPS as intimations of card transactions. I am apprehensive that my phone may have been cloned 8. They also made me delete the Linkdin app. 9. It is requested that an FIR be filed and the matter be investigated. Thanking you. Yours Sincerely, Sumit Kaur 31.05.2025 R/O 276,

> Sector 10-A, Chandigarh Mb No. 7087059276, 7087984530 (Brother) DOB 13.10.1954…"

6. Status report dated 13.01.2026 has already been filed after the investigation was carried out, wherein the role of petitioner has been defined. Relevant paras read thus:

> "7. That Present Petitioner was specifically named in the disclosure of co-accused Jubbar Ali as one of the "Account Creators" who was recruited to provide corporate banking infrastructure for the syndicate's fraudulent operations. The investigation has established a direct financial link to the Present Petitioner, as a sum of 20 Lakhs of the complainant's cheated money was deposited into his Account No. 20100039959140 at Bandhan Bank, Varanasi.
>
> "8. That on 22.06.2025, co-accused Prashant was arrested from Bijnor, UP, as his mobile number was found linked with the fraudulent account of co-accused Hariom. On the basis of co-accused Prashant's disclosure, co-accused Anurag @ Vikrant and co-accused Abhijeet were arrested on 27.06.2025 from Hapur, UP. Finally, on 19.08.2025, co-accused Shyam Yadav and co-accused Tushar Yadav were arrested from Rajasthan after bank KYC confirmed the latter's phone number was linked to the receiving account."

7. *Prima facie*, the allegations in the FIR are grave and raise serious concerns, so much so that considering such cases being on the rise, Hon'ble the Supreme took cognizance of the issue of 'digital arrests' made pursuant to forged judicial documents and registered Suo Motu Writ Petition (Criminal) No. 03/2025 titled **In Re: Victims of Digital Arrest Related to Forged Documents,** and vide order dated 17.10.2025 observed thus:

> "4. The forgery of documents and the brazen criminal misuse of the name, seal, and judicial authority of this Court or a High Court is a matter of grave concern. The fabrication of judicial orders bearing forged signatures of Judges strikes at the very foundation of public trust in the judicial system, besides the rule of law. Such acts constitute a direct assault on the dignity and majesty of this institution, therefore, such grave criminal acts cannot be treated as ordinary or routine

> offences of cheating or cybercrime.
>
> 5. We are also inclined to take judicial notice of the fact that the instant case is not a solitary instance. It has been reported many times in responsible media reports that such like occurrences have happened in the past in different parts of the country. We are, therefore of the prima facie view that a stern action on Pan India basis with coordinated efforts between the Central and State Police are required to unearth the full extent of this criminal enterprise involving forgery of judicial documents, cyber extortion and cyber arrest of the innocent people, especially the senior citizens."

8. In **Sharwan @ Kakku vs. State of Haryana**, CRM-M-25159-2025, dated 28.07.2025, the petition for grant of regular bail after a custody of 9 months, was dismissed by Coordinate Bench, wherein the complainant was a lady who had been put under 'digital arrest' for 3 days, it was observed that, "The petitioner in connivance with the co-accused is alleged to have duped the complainant of a sum of Rs.6,85,000/- by keeping her under digital arrest and by extending threats of her being arrested and making inducements. The stand taken by him is that his family had made payment of a sum of Rs.3 lakhs to the complainant. Copy of statement recorded by the complainant in this regard has also been placed on record as Annexure P-2. However, keeping in view the nature of the allegations as levelled against the petitioner, the fact that the petitioner has remained a part of a gang whose kingpin has not yet been arrested coupled with the fact that it is a classic case of cyber arrest thereby causing wrongful loss to the complainant and her hard earned money, the growing tendency of such like cases which are crimes against society at large as well, this Court is of the considered opinion that irrespective of the fact that some money of the complainant has been returned by the petitioner and she had turned hostile, cannot be considered to be a ground for

extending benefit of bail to the petitioner. Petitioner has been connected in this case on the basis of scientific investigation and telephone record. Due to resiling by the complainant, the allegations as levelled against him do not falsify. The apprehension expressed by the respondent-State that the petitioner may indulge in similar offences or may abscond cannot be stated to be unfounded at this stage. In view of this discussion, this Court is inclined to hold that the petition does not deserve to be allowed. Accordingly, the same is dismissed."

9. Similarly in **Dafda Jignesh Jethabhai vs. State of Punjab,** CRM-M-13144-2026, dated 20.03.2026, a case of digital arrest of a couple, the bail of the petitioner, who had been in custody for approximately 9 months was rejected with the observations that, "Indubitably, the present case pertains to a large-scale cyber fraud involving impersonation of public officials) and regarding digital arrest by faking the identity of the Directorate of Enforcement, Maharashtra, fake arrest warrants and orders. As per the prosecution case, the complainant and his wife have received calls from a person impersonating himself as an Officer of the Directorate of Enforcement, who threatened them with arrest in a money laundering case and induced them to transfer money for verification purposes. Acting under fear, the complainant has transferred a sum of Rs.54,26,665/- into the different bank accounts provided by the accused. The modus operandi reflects a well-planned conspiracy whereby on the pretext of fake digital arrest, the accused have duped the complainant and his wife for a substantial amount. During the course of investigation, it has been found that the fraud has been carried out in a planned manner using multiple bank accounts and fake identities. The involvement of the present petitioner has surfaced

during the course of investigation when a substantial part of the cheated amount has been traced to a bank account linked to him. As per the prosecution, the said account has been allegedly used for receiving and further transferring the defrauded money. The role attributed to the petitioner, though emerging during investigation, cannot be said to be insignificant. At this stage, the argument that the petitioner has no knowledge of such transactions or his identity has been misused, is a matter of trial and cannot be determined at the stage of considering the plea for grant of bail. In the considered opinion of this Court the financial trail, prima facie, establishes a nexus between the petitioner and the alleged offence. The magnitude of the fraud and the manner in which the amount has been siphoned off are significant factors which weigh against the grant of bail."

10. The present is not a case of simple cheating, but involves creation of an intricate scheme targeting an innocent retired government employee, living with her brother and niece, was subjected to a 'digital arrest' from 03.05.2025 to 30.05.2025, by the accused, who impersonated officials from the Telecom Regulatory Authority of India (TRAI), Mumbai Police, the Central Bureau of Investigation (CBI) and the web was weaved in such a manner that not only fabricated arrest warrants, orders from Directorate of Enforcement and CBI, but also from the Supreme Court purportedly signed by Hon'ble the Chief Justice of India himself were furnished, with a view to make believe the genuineness thereof. She was drained of all her savings, leaving not even a single penny. What she may have gone through during that period, perhaps cannot even be fathomed. During investigation, it emerged that the total amount of Rs.2.5 Crores was diverted through various conduit bank accounts, including

that of the petitioner, who was the primary beneficiary, as he had directly received Rs.20 lakhs in his account. On a specific query posed by this Court, learned counsel for the petitioner has not been able to demonstrate his vocation or provide any justification for the hefty amount credited in his account.

11. Cases of digital arrest, once unknown, now rampant, involve a strategy coined in such a fashion that unsuspecting elderly get deceived, by exploiting their innocence and lack of familiarity with the digital system and stripped of their entire savings, leaving them with trust deficit in every sphere and a scar for their remaining life. Sooner than not, robust solutions in terms of procedural safeguards and awareness campaigns shall have to be undertaken, so as to buckle up those who are vulnerable, particularly ones in the evening of their lives. Investigating agencies are required to work at enhanced prowess to train and become more tech-savvy about phishing scams, so as to bring such culprits to the book, by spreading its tentacles far and wide.

12. Considering the gravity of the offence of cyber fraud with the *modus operandi* of so-called 'digital arrest', in light of the afore-referred judgments coupled with the apprehension expressed by the victim, who fears for her life at the hands of the petitioner and is yet to be even examined, as also by the learned PP having stated that he may influence the witnesses and tamper with the evidence, while there being possibility of him absconding, committing similar offence, as the mastermind is still at large, this Court finds that the present petition deserves to be and is hereby dismissed.

13. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not

be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

09.04.2026
M.Kamra

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No